IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

WEDNESDAY, THE 28TH FEBRUARY 2007 / 9TH PHALGUNA 1928

Crl.Rev.Pet.No. 897 of 2007()

CC.744/2006 of JUDL. MAGISTRATE OF FIRST CLASS COURT-I, THRISSUR

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REVN. PETITIONER: COMPLAINANT

T.K.SANTHAN, S/O KOCHUGOVINDAN,
THAYIL HOUSE, NEDUPUZHA P.O.,
THRISSUR.

BY ADV. SRI.C.D.DILEEP

RESPONDENTS:

STATE OF KERALA REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA.

BY ADV. SRI. AMJAD ALI, PUBLIC PROSECUTOR

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 28/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R. UDAYABHANU, J

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CRL. R.P. NO. 897 OF 2007

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Dated this the 28th day of February 2007

O R D E R

The revision petitioner, who is the complainant in C.C. No.744/2006, has initiated proceedings under section 138 of the Negotiable Instruments Act. The court below dismissed the same under section 204(4) Cr.P.C. It is submitted that the omission was on account of the mistake on the part of the clerk of the counsel.

In the circumstances, the order dismissing the complaint is set aside. The court below is directed to permit the petitioner to further pursue the matter. He shall appear before Judicial First Class Magistrate, Thrissur on 28.03.2007.

The Crl. R.P is allowed accordingly.

K.R. UDAYABHANU, JUDGE.

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